



General Accreditation Policies and Procedures

Purpose and Scope

This instruction provides general policies and procedures for accreditation of organic certification bodies under the authority of the Department of Agriculture (USDA), Marketing and Regulatory Programs (MRP), Agricultural Marketing Service (AMS), National Organic Program (NOP). These procedures apply to accreditation of U.S. organic certification agencies and certification agencies located outside the United States.

These general procedures may be clarified or expanded upon by other more specific NOP procedures. Please consult the NOP Document Control Master List to check for more detailed information.

Referenced Documents

The following documents are included by reference in this NOP instruction:

- The Organic Foods Production Act of 1990; 7 U.S.C 6501 et seq.
- 7CFR Part 205, National Organic Program; Final Rule.
- International Organization for Standardization (ISO)/International Electrotechnical Commission (IEC) 17011 – Conformity Assessment – General requirements for accreditation bodies accrediting conformity assessment bodies: 2004.
- ISO 19011:2002, Guidelines for quality and/or environmental management systems auditing.

Authority

The National Organic Program accredits organic certification agencies under the authority of the Organic Foods Production Act of 1990, as amended (7 U.S.C 6501 et seq.) as described in the Code of Federal Regulations Title 7, Part 205, National Organic Program, Final Rule. The NOP Final Rule assigns responsibility for execution of the National Organic Program to the AMS Administrator. The Administrator has delegated certain responsibilities as described in the NOP Final Rule and this instruction.

Availability of Service

Who may apply. Accreditation to conduct organic certification services under the NOP is available to government and private organizations who qualify under the terms of the NOP regulations. Accreditation is available to any qualified certifier, whether in the U.S. or in other countries. Accreditation services are available regardless of the number of certifications conducted by an agency. Eligibility for accreditation is not conditional upon size of the operations or membership in any association.

Nondiscrimination. Accreditation services are available without discrimination on the basis of color, race, national origin, gender, religion, age, disability, sexual orientation, marital or family status, political beliefs, or protected genetic information. Persons with disabilities who require alternative means for communication of program information (Braille, large print, audio tape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to the USDA, Director, Office of Civil Rights, Whitten Building, 14th and Independence Avenue SW, Room 326-W, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity service provider and employer.



Responsibilities

AMS Administrator. The AMS Administrator has final decision authority for granting accreditation to organic certification agencies and issuing the final determination on appeals.

Associate Deputy Administrator, National Organic Program. The Associate Deputy Administrator (ADA) is responsible for conducting certain activities with regard to accreditation of organic certification agencies. These activities include:

- 1) Supervising accreditation activities.
- 2) Suspending or revoking accreditations of certification agencies in non-appeal situations.
- 3) Reinstating accreditations of certification agencies that have had their accreditations revoked or suspended.
- 4) Reinstating eligibility for certification to organic operations that have had their certification suspended or revoked.
- 5) Approving NOP operational policies and procedures for accreditation.

The ADA may assign specific tasks related to these activities to competent NOP personnel, but retains final responsibility for their proper execution.

NOP Accreditation Manager. The NOP Accreditation Manager is responsible for:

- 1) Receiving and processing applications for accreditation.
- 2) Directing, conducting, and reporting the results of compliance assessments of certification agencies. Routine activities supporting these processes are assigned to specific NOP staff as described in NOP work instructions.
- 3) Directing the activities of and chairing the NOP Accreditation Committee.

The NOP Accreditation Manager may assign specific tasks related to these activities to competent NOP personnel or make arrangements for specific tasks to be conducted by Livestock and Seed Program; Audit, Review, and Compliance (ARC) Branch personnel, but retains final responsibility for their proper execution.

Certification Agencies. Organizations accredited to conduct certifications to the NOP are responsible for:

- 1) Conducting certification activities according to the regulations.
- 2) Ensuring certified clients comply with all requirements of the NOP regulations.
- 3) Ensuring compliance with labeling requirements of products of operations they certify.
- 4) Approving organic systems plans for each operation they certify prior to onsite inspections.
- 5) Approving all inputs, ingredients, and other materials used by certified operations prior to their use.
- 6) Conducting annual onsite inspections of certified operations to verify implementation of an approved organic systems plan.
- 7) Issuing certification decisions and certificates in compliance with NOP regulations.
- 8) Issuing notices of noncompliance and suspending or revoking the certification of clients that do not comply with the NOP regulations.



- 9) Reporting adverse actions against certifiers to the NOP, including notices of noncompliance, proposed suspension, proposed revocation, suspension, revocation, or denial of certification to the AMS Compliance office.
- 10) Obtaining NOP approval for reinstatement of suspended or revoked operations prior to recertification.
- 11) Submitting annual updates of application information and annual reports of operations certified to the NOP.
- 12) Maintaining records as required in the NOP regulations.

Audit Review and Compliance Branch. The AMS, Livestock and Seed Program, Audit, Review and Compliance (ARC) Branch, conducts audits upon request of the NOP Accreditation Manager. Specific responsibilities of the ARC Branch include:

- 1) Conducting and reporting the results of document adequacy reviews (desk audits).
- 2) Planning, conducting and reporting the results of onsite compliance audits.
- 3) Collecting hourly user fees and travel expenses for all NOP accreditation-related services.

Requirements for Accreditation

To become accredited, certification agencies must meet requirements as described in Subpart F, §§205.501 through 205.503 of the NOP Final Rule.

Applying for Accreditation

Organic certifiers may apply for accreditation under the NOP by submitting a complete application to the NOP Office in Washington, DC, at the address shown on page 8. All applications and supporting documentation must be submitted in English.

Applications must include:

- 1) A \$500 application fee.
- 2) An original signed copy of the LS-313 Application for Service.
- 3) An original signed copy of the TM-10CG Application for Accreditation.
- 4) All supporting documentation and procedures as required in 7 CFR 205.503 to 205.505

For more detailed information, see NOP 2004, How to Apply for NOP Accreditation.

Documentation Adequacy Audits (Desk Audits)

Upon receipt of applications for accreditation, the NOP will arrange for documentation adequacy audits to be conducted by assigned ARC auditors. An auditor conducts a detailed assessment of the necessary documentation and submits complete reports through the ARC Branch office to the NOP Accreditation Manager.

Review of Audit Report

The NOP Accreditation Manager reviews audit reports for content and clarity. The Accreditation Manager may contact the ARC Branch for clarifications as needed. Applications found to be adequate under the regulations are forwarded to the Accreditation Committee for consideration. If the documents are not



adequate, the Accreditation Manager may deny the application or request additional documents to be submitted prior to further consideration.

Amending Applications to Address Identified Deficiencies

Applicants for accreditation must address any significant deficiencies or noncompliance to the NOP regulations identified during the desk audit prior to further consideration for accreditation.

If all of the identified noncompliances are minor but are sufficient in number to cause concern, the Accreditation Manager will require significant progress toward implementation of approved corrective actions before forwarding the application to the Accreditation Committee.

If all of the identified noncompliances are minor and few in number, the Accreditation Manager may forward the application to the Accreditation Committee for consideration prior to the receipt and approval of corrective actions.

Accreditation Committee Review

The NOP Accreditation Committee is comprised of USDA personnel who have expertise in the application of the National Organic Standards, agricultural production and processing practices, and/or the evaluation of audit-based certification programs. Members serve as needed on committees based on their availability and the need for specific areas of expertise on the Committee.

The Accreditation Committee reviews applications for new and renewal accreditation and prepares recommendations to the Administrator for final decision on accreditation. The review is based on the audit report and supporting documents, and any other available documentation. The committee may contact the auditor or applicant if clarification on any issue is necessary in preparing its recommendation.

If the committee's recommendation is to approve or approve with conditions, the application, along with the auditor's report and committee findings, is forwarded to the AMS Administrator for final decision.

If the committee does not recommend approval of the application, the application, along with the auditor's report and committee findings, is sent to the applicant. Applicants may reapply for accreditation at any time.

Decision on Certification by the Administrator

The AMS Administrator is responsible for all final approvals of certifier accreditations. Decisions are based on the Administrator's review of the auditor's report, the Accreditation Committee's findings, and any supporting documentation. The Administrator reviews the provided information and renders a decision to grant or deny accreditation.

Accreditation is granted for a period of 5 years from the date of approval by the Administrator.

Onsite Audit and Report



An initial site evaluation of an accreditation applicant is conducted within a reasonable period of time after issuance of the applicant's notification of accreditation. New certifiers are generally audited only after completing at least three certifications under the NOP standards.

Onsite audits are conducted in accordance with the ISO 19011, Guidelines for Quality and/or Environmental Management System Auditing and AMS procedures. All onsite evaluations include a review of the certifying agent's certification procedures, decisions, facilities, administrative and management systems, and production or handling operations certified by the certifying agent.

The audit team, consisting of one lead auditor and one or more audit team members, will conduct the assessment of the certification agency at some or all of the premises of the certifier where one or more key activities are performed. The team will also perform witness audits at other selected locations where the certifier operates to gather objective evidence that the certifier is competent and conforms to the NOP regulations. Key activities include the review of applications, the review of materials, ingredients, and inputs, review of audit reports, decision making, and administrative functions. Certifiers that operate internationally should expect reviews in each country in which they operate.

Audit Reports. The lead auditor prepares a detailed report of the audit findings and submits it through the ARC Branch to the NOP Accreditation Manager.

Review and Approval of Audit Reports. The NOP Accreditation Manager, or designee, reviews the onsite audit report for content and clarity. The NOP Accreditation Manager may request clarification of findings as needed. If noncompliances have been reported, the Accreditation Manager may prescribe guidelines for corrective/preventive actions and timeframes in which they are to be accomplished and send them to the client with a copy of the audit report. If the audit report identifies significant noncompliance, the report may be referred back to the Accreditation Committee for reconsideration of certifier's accreditation status.

Publication of Accreditation Status

Upon initial approval or any change in a certifier's accreditation status, the Accreditation Manager or the ADA will notify the Transportation and Marketing Programs webmaster via e-mail and request posting of the approval or other action to the AMS Internet website at <http://www.ams.usda.gov>.

Submitting Annual Updates

Each year, on or before the anniversary date of their initial accreditation, accredited certifying agents must submit an annual update of their company information, policies, procedures, and operating protocols. Included in this information are copies of files from certified operations representative of each type of operation the organization is accredited to certify on behalf of the NOP.

In addition to the annual updates, certifiers must submit a complete list of operations certified as of January 2 of each calendar year. The list must include the name, address, and phone number of the certified entity, the type of operation certified (crops, livestock, wild crop harvest or handling) and may include a list of the products included in the certification. This list should be submitted as a Microsoft Excel spreadsheet.



Reviewing Annual Updates

Annual updates are received by the NOP and forwarded to the ARC Branch for review and comment. Any identified deficiencies or noncompliances are noted in an audit report and forwarded to the certifier for corrective action. Failure to submit annual updates or to address deficiencies or noncompliances within prescribed timeframes may lead to suspension or revocation of the certifier's accreditation.

Suspending or Revoking Accreditation

When a certifying agent fails to comply with the requirements for accreditation as described in the NOP regulations, the NOP Accreditation Manager will notify the certifying agent and require corrective actions to be submitted within a specified time period, usually 30 to 60 days. If the certifier provides appropriate corrective actions or successfully rebuts the finding of the noncompliance within the prescribed time period, the Accreditation Manager will clear the noncompliance.

If a certifying agent persists in failing to meet the NOP requirements for accreditation, the ADA may issue a Notice of Proposed Suspension or Notice of Proposed Revocation to the certifying agent. A Notice of Suspension may be issued for any failure to correct identified noncompliances to the NOP regulations. A Notice of Revocation may be issued for ongoing noncompliance or for noncompliances that appear to be willful on the part of the certifying agent.

From the time the certifier receives the notice, the certifier will have 30 days to file an appeal with the Administrator. If the certifier appeals the Notice of Proposed Suspension or Notice of Proposed Revocation to the Administrator, the ADA will reserve action on the suspension or revocation until the Administrator has issued a decision on the appeal. The certifier's accreditation will remain valid until final action is determined by the Administrator.

Surrendering Accreditation

Accredited certifiers who no longer wish to maintain their NOP accreditation must surrender their accreditation by submitting a written notification of such to the Administrator. Certifiers who wish to surrender their accreditation should work with any remaining certified clients and arrange to transfer their certification to another NOP accredited certifier.

Cessation of Certification Activities

A certifying agent whose accreditation is surrendered, suspended or revoked must:

- (1) Cease all certification activities in each area of accreditation and in each State for which its accreditation is surrendered, suspended or revoked;
- (2) Transfer to the Secretary and make available to any applicable State organic program's governing State official all records concerning its certification activities that were surrendered, suspended or revoked.



Appeals Process for Accredited Certification Agencies

An applicant for accreditation or an accredited certifying agent may appeal a denial of accreditation or proposed suspension or revocation of accreditation to the Administrator. Appeals to the Administrator must be filed in writing and addressed to:

Administrator, USDA-AMS
c/o NOP Appeals Staff
1400 Independence Avenue, S.W.
Mail Stop 0203 - Room 302-Annex
Washington, D.C. 20250

Appeals must include the following information:

- 1) A copy of the adverse decision; and
- 2) A statement of the appellant's reasons for believing that the decision was not proper or made in accordance with applicable program regulations, policies, or procedures.

The Administrator will review the information provided in the appeal and any additional information the Administrator may consider necessary. If the Administrator sustains the appeal, the applicant will be issued accreditation, or a certifying agent will continue its accreditation, as applicable to the operation. If the Administrator denies the appeal, a formal administrative proceeding to deny, suspend, or revoke the accreditation will be initiated. Such proceedings are conducted pursuant to the U.S. Department of Agriculture's Uniform Rules of Practice, 7 CFR Part 1, Subpart H.

Renewing Accreditation

At least one year before the end of the term of the certifier's accreditation, the NOP will send a renewal notice to the certifier as a reminder of the requirement to renew their accreditation. Certifiers will be reminded that they must renew their accreditation or voluntarily surrender their certificate of accreditation.

Accredited certifiers may apply for renewal one year to six months prior to the end of the accreditation period. Certifiers who apply for renewal later than six months prior to the end of their accreditation period risk a lapse in their accreditation.

Certifiers may also request to change their annual reporting date in order avoid having to prepare annual reports during their busiest seasons. To change their annual renewal date, certifier must submit their renewal application at least six months prior to their requested renewal date. The requested date must occur before the original renewal date.

A NOP official will review applications and arrange for an adequacy audit and onsite evaluation. A site evaluation will be conducted after application for renewal of accreditation but prior to the issuance of a notice of renewal of accreditation.



Fees for Accreditation

Applicants for accreditation under the NOP are assessed fees as nearly as possible to the cost of providing accreditation services. Except as otherwise noted, fees-for-service are based on the time required to render the service provided calculated to the nearest 15-minute period. Billable activities include the review of applications and accompanying documents and information, evaluator travel, the conduct of onsite evaluations, review of annual reports and updated documents and information, and the time required to prepare reports and any other documents in connection with the performance of service.

Travel charges. When service requires more than one half hour of travel, charges will include a mileage charge at the published rate and travel tolls, if applicable, or the actual cost of common carrier transportation.

Per diem charges. When service requires travel by AMS evaluators, the fee for such service shall include a per diem charge if the employee(s) performing the service is paid per diem in accordance with existing travel regulations. Per diem charges to applicants and certifying agents will cover the same period of time for which the evaluator(s) receives per diem reimbursement. The per diem rate will be the published rate for reimbursement by the Department of Agriculture.

Other costs. Any additional costs associated with providing accreditation services will be charged to the applicant. Such costs include but are not limited to equipment rental, photocopying, delivery, facsimile, telephone, or translation charges incurred in association with accreditation services.

Estimates. Applicants will be provided an estimate of the total fees to be assessed prior to providing service.

Contact Information

For more information regarding NOP accreditation policies and procedures or to submit an application for accreditation contact:

Accreditation Manager
USDA, AMS, TM, National Organic Program
1400 Independence Avenue SW
Room 4008-South
Washington, DC 20250
Phone: (202) 720-3252
FAX: (202) 205-7808